



Docket No.: 12810-00141-US  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Mariette ANDERSSON et al.

Conf. No.: 5032

Application No.: 10/519947

Group Art Unit: Not Yet Assigned

Filed: December 29, 2004

Examiner: Not Yet Assigned

For: USE OF AHAS MUTANT GENES AS  
SELECTION MARKER IN POTATO  
TRANSFORMATION

**STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 CFR §§1.821 THROUGH 1.825**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

- I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the information recorded in computer readable form is identical to the written Sequence Listing submitted herewith.
- I hereby state that the submission filed in accordance with 37 C.F.R. 1.821(g) does not include new matter.
- I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- I hereby state that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, in pages 1- \_\_\_\_ of the Sequence Listing. I hereby state that the substitute sheets of the Sequence Listing do not include new matter.
- I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended Sequence Listing.

I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed on

Respectfully submitted,

By   
Roberte M. D. Makowski  
Registration No.: 55,421  
CONNOLLY BOVE LODGE & HUTZ LLP  
1007 North Orange Street  
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(302) 658-5614 (Fax)  
Attorney for Applicants



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/519947

Attorney Docket No.: 12810-00141-US

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Missing Parts  
Commissioner for Patents  
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Alexandria, VA 22313-1450

on September 20, 2005  
Date

  
Signature

Tina R. Hall

Typed or printed name of person signing Certificate

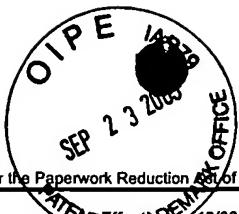
Registration Number, if applicable

(302) 658-9141

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures and Preliminary Amendment (8 pages)  
Statement to Support Filing and Submission in Accordance with 37 CFR 1.821 – 1.825 (2 pages)  
Sequence Listing (9 pages)  
Diskette containing Sequence Listing  
Copy of Notification to Comply With Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures (2 pages)  
Petition for One Month Extension of Time Under 37 CFR 1.136(a) (1 page)  
Transmittal of POA (1 page)  
Power of Attorney (1 page)  
Statement Under 37 CFR 3.73(b) (1 page)  
Copy of Assignment and Recordation Cover Sheet (3 pages)  
Fee transmittal (1 page)  
Postcard  
Charge \$120 to deposit account 03-2775



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).  
**Fee Transmittal  
For FY 2005**

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** **120.00**

**Complete if Known**

Application Number	10/519947
Filing Date	December 29, 2004
First Named Inventor	Mariette ANDERSSON
Examiner Name	Not yet available
Art Unit	Not yet available
Attorney Docket No.	12810-00141-US

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 03-2775 Deposit Account Name: Connolly Bove Lodge & Hutz LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description

Each claim over 20 (including Reissues)

Small Entity  
Fee (\$) Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
19	- 20 =	x	=	<u>Fee (\$)</u> <u>Fee Paid (\$)</u>
3	- 3 =	x	=	

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1251 Extension for response within first month

120.00

**SUBMITTED BY**

<u>Signature</u>	<u>Roberte M. D. Makowski</u>	<u>Registration No.</u> <u>(Attorney/Agent)</u>	55,421	<u>Telephone</u>	(302) 658-9141
<u>Name (Print/Type)</u>	Roberte M. D. Makowski, Ph.D.			<u>Date</u>	September 20, 2005



OIPE 14578  
SEP 23 2005  
PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

JR

Page 1 of 2

JUL 11 2005

MORRISON & FOERSTER

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,947	Mariette Andersson	53262-20099.00

25227

MORRISON & FOERSTER LLP  
1650 TYSONS BOULEVARD  
SUITE 300  
MCLEAN, VA 22102

DOCKETED ✓

REMINDER: Seq Data Due

DUE DATE: 7/24/05

FINAL DUE DATE: 8/24/05

1/24/06

Date Mailed: 06/24/2005

INTERNATIONAL APPLICATION NO.

PCT/EP03/07085

I.A. FILING DATE	PRIORITY DATE
07/03/2003	07/09/2002

CONFIRMATION NO. 5032

371 FORMALITIES LETTER



\*OC000000016367075\*

## NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$960** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$960** for a Large Entity:

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- Total additional claim fee(s) for this application is **\$ 960**

- \$600 for 12 total claims over 20.
- \$360 for multiple dependent claim surcharge.

0000016367075 10-13547  
360.00 US  
360.00 FEE

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

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Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,947	PCT/EP03/07085	53262-20099.00

FORM PCT/DO/EO/922 (371 Formalities Notice)